



Liberty Mutual Group

Personal Market Claims
 711 Kapiolani Blvd., Suite 1100
 Honolulu, HI 96813
 Telephone: (808) 589-8920
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DENIAL OF CLAIM FORM HAWAII NO-FAULT LAW

Date December 2, 2003	Our Policyholder Leonard Egdamin	Date of Accident 05/02/2003	File Number: LA3558040-05
TO: Tiara Engle C/O Roy Chang ESQ 333 Queen Street #900 Honolulu HI 96813			Age of Applicant
			County Honolulu

After review of the facts and circumstances of your application for benefits we have determined that you are NOT entitled to:

Any benefits

☒☒ The following benefits

Billing statements from Portner Orthopedic Rehab for office visit on October 22, 2003, in the amount of \$60.84 and x-rays of the cervical, thoracic and lumbar spine, in the amount of \$178.83, under the Hawaii Motor Vehicle Insurance Law, for the following reason(s): Based on Clifford Lau, M.D.'s medical record review dated November 18, 2003, which states: "I do not believe x-rays of the cervical, thoracic or lumbar spine are reasonable based on the medical records reviewed. It appears that the thoracic spine had resolved, the cervical spine was only minimal, and the lumbar spine was improving... I would have expected an 18 year-old to have reached pre-injury status within 6-8 weeks considering the presentation of the emergency room and for a visit two weeks later."

If you wish to contest this determination, you have the following options:

- (1) You may request a review of any action on your claim for benefits by filing with the Automobile Insurance Commissioner (P.O. Box 3614, Honolulu, Hawaii 96811-3614) two copies of the Notice of Denial of your claim, your request for review and a statement in duplicate giving specific reasons for the request within 60 days after the date of denial of your claim.
- (2) You may also submit this dispute to arbitration. If you decide to submit this claim to arbitration, please send the attached copy of this Denial Form with a request for arbitration to Administrative Judge of the Circuit Court in which you reside within 10 days of the date of filing your request. The Administrative Judge will appoint an arbitrator to hear and determine the claim. Any fee or cost of the arbitrator shall be borne equally by the parties unless allocated by the arbitrator. You may be allowed an award of reasonable sum for attorney's fees. The arbitration shall be in accordance with and governed by the provisions of Chapter 658 HRS. An appeal may be taken from any judgment of an arbitrator to the Circuit Court in manner provided for in Rule 72 of the Hawaii Rules of Civil Procedures.
- (3) You may bring court action against Liberty Mutual Insurance Company. In this event, you should contact your lawyer.

Date: 12/2/03 Signed DS
 CC: Portner Orthopedic Rehab

EXHIBIT E